IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Crl.Rev.Pet.No. 663 of 1999()

CRA.352/1996 of SESSIONS COURT, THRISSUR
ST.3009/1995 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, THRISSUR

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REVN. PETITIONER: APPELLANT/ACCUSED

T.P.JOHNSON
PRIYA MEDICALS, EAST FORT
THRISSUR.

BY ADV. SRI.A.MOHAMED MUSTAQUE

RESPONDENTS: RESPONDENT/COMPLAINANT & STATE

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1. K.C.THOMAS, S/O.CHAKKUNNI
   KADAVI HOUSE, ERINJERY ANGADI
   THRISSUR.

2. STATE OF KERALA REPRESENTED BY
   PUBLIC PROSECUTOR
   HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.C.K.SURESH
SRI.K.PADMANABHAN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRPNO.663/99

ORDER ON CRL.M.P.NO.2947/1999 IN CRL.R.P.NO.663/1999

DISMISSED

4.7.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

Crl.R.P.No.663 of 1999

Dated this the 4th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to pay a fine of Rs.20,000/- and in default, to undergo R.I. for a period of three months. Out of the fine amount, if realised, a sum of Rs.17,500/- is ordered to be paid to the complainant as compensation.

2. The revision petitioner has only sought for modification of the sentence. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.17,500/- to the complainant and in default, to undergo simple imprisonment for three months. The revision petitioner is granted one month's time to remit the amount of compensation, less the amount already deposited if any. It is submitted that a sum of Rs.15,000/- is in deposit towards the fine amount. The same shall be released to the complainant. Revision petitioner shall appear before the JFCM-I, Thrissur on 8.8.2007 to receive the sentence.

K.R.UDAYABHANU,
JUDGE

csl

K.R.UDAYABHANU, J

CRL.A.No.371/2000

JUDGMENT

29th June 2007